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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**OHTAKE et al.**

Group Art Unit: 2814

Serial No.: 09/749,590

Examiner: Anh D. Mai

Filed: December 28, 2000

For: **SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Date: February 8, 2002

Sir:

This paper is submitted in response to the Official Action dated January 14, 2002.

In the Action, restriction is required between Group (I), claims 1-10 drawn to a semiconductor device; and Group (II), claims 11-17 drawn to a method of making.

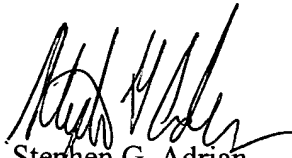
Applicants hereby elect the subject matter of Group (I), claims 1 - 10 for prosecution in this application. This election is made without traverse, it being understood that the applicant's right to the filing of a Divisional application directed to the non-elected subject matter under 35 USC §120 and 35 USC §121 is retained.

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In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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Atty. Docket No. **001752**

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